

APPROVED

LINCOLN PLANNING BOARD

May 27, 2015

The regular meeting of the Planning Board was held May 27, 2015 at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Vice Chairman Michael Reilly called the meeting to order at 7:04 p.m. The following members were present; Michael Reilly, Gerald Olean, William Murphy, John Hunt, and Jeffrey Delgrande.

Also in attendance were Town Planner Al Ranaldi, Town Engineer Leslie Quish, and Town Solicitor Anthony DeSisto.

The following member was absent: Chairman Kenneth Bostic, excused.

Vice Chairman Michael Reilly advised that 5 members were present; have quorum.

CONSENT AGENDA

Vice Chairman Michael Reilly stated that the consent agenda can be voted on in total unless a member motions to remove an item.

Motion made by Member Delgrande to accept the consent agenda as

presented, second by Member Hunt. Motion was approved by all members present.

MAJOR SUBDIVISION REVIEW

A. Highridge Subdivision

AP 31 Lot 20

Public

Information Hearing at 7:00

Highridge Corporation

192 Old River Road

Master Plan

Discussion/Approval

Town Planner Al Ranaldi gave an overview of the project: This application is in front of the Board as a Master Plan Review. It's a public information meeting. This is a subdivision of one lot into three. The lot is approximately six (6) acres. It has a use variance that was granted in 1958 for recreational use and that use has been consistent to this day. The applicant is proposing to subdivide two lots that are accessible from Old River Road and those lots would be residential and will conform to the zoning regulation which is 12,000 square feet. One of the things that we need to clear up is the application had one hundred and twenty days (120) from the Certificate of Completeness for the review and decision of the Planning Board. However, that time period ran out on May 20, 2015. Mr. Ranaldi explained that the attorney for the applicant realized this at the last meeting but there was no quorum.

Attorney for the applicant John Shekarchi consents to an extension.

The applicant is proposing to subdivide two lots off of their main parcel of land. The parcel of land and the recreation activity will still

continue. The two lots will front off of Old River Road. The reason they are in front of the Board at a Master Plan Major Subdivision Review is that they have a use variance on the property for the recreational use and they need to go back to the Zoning Board for relief. The subdivision of the land is considered an intensification of the use variance. Any new development of this property will trigger the requirement to meet parking regulations as they are today and not in 1958. The club would have to pave the parking lot and install a stormwater management system. This is a pretty rigorous requirement for an operation that only operates for only four months out of the year. So when the TRC was reviewing this project, it was noted that they have a grassy area that they park on and all the members have been parking on it since 1958, The TRC actually made the recommendation that the applicant ask for a waiver of the zoning regulations and that's what bringing the application here. The TRC feels that they are an active organization and the parking situation has worked up to this day and requiring the club to replace a thing that works as opposed to putting down a paved parking area right on Old River Road would just take away from the established look and feel of the existing roadway. And that was part of the zoning application that will be part of the Zoning Board's agenda on June 2.

Vice Chairman Reilly: I would like to hear from the applicant when you do your presentation as far as the months that you are open as well as from what time to what time of the day you operate. So that you can show that obviously you are not open in the winter and you

are only open certain months of the year. So I think that has an effect on the way we look at this project.

Al Ranaldi: So with that being said, one of our requirements is that they are going to install a vegetative screen between the recreational property and the new residential property.

When the TRC was out there last week we saw that there was a stone wall that acts as a retaining wall. It is about three feet high and holds back all the property. The wall actually goes about 2600 feet along Old River Road and we are asking that the applicant preserve that stonewall.

So barring any unforeseen concerns, the TRC recommends Master Plan approval with conditions. There are three conditions: that the applicant preserve the existing stone wall running along Old River Road; the applicant installs a compact evergreen screen along two sides of the proposed residential lots. The vegetative screen to be placed on the original lot and is to be maintained by the applicant. And the evergreen screening should be planted in such a way to appear as natural as possible; basically a staggered planting pattern. And the proposed parking lot improvements which are outlined on the plan be installed and inspected by the Town before final plan is approved. And the applicant put some wooden barriers between the parking spaces and put white lines to designate the parking spots for people.

Vice Chairman Reilly: At this point I am going to read the Abutters List.

Abutters List read (attached).

Those abutters that attended:

Kirkbrae Glen Inc.

177 Old River Road

Teddie Polak and Karleen Keefe

182 Old River Road

Richard W. & Elaine J. Bruno

189 Old River Road

Luis R and Ilda Agrela

186 Old River Road #5

Peter J and Sranrat M. Gingras

191 Old River Road

Joseph A. Brouillard, Trustee

9 HighRidge Dr.

Spiro C. Moschou

196 Old River Road 2C East

Once again, Attorney John Shekarchi for the applicant: I know we have had two presentations in the past in detail. Brief summary then we can have the President come up and talk about the hours. Before we get started, if there are any additional conditions from the TRC we will more than happy to meet those. Attorney Shekarchi and Land Use Expert Edward Pimental gave a short presentation of the project.

Attorney Shekarchi: The markings on the wood will be nine (9') feet apart from each other. We are trying to avoid having a hard surface parking lot or doing anything on the surface which would disturb the natural greenery of the area. The waivers we seek are to maintain the parking area as it has been other than to add some of the parking improvement requirements to make it clear where the stalls are and so forth. Also to well define the driveway entrance coming in and also to put signs in for no parking so it won't become spillage over going onto the road. These are the things that are all presented to the Board and to the Zoning Board.

Edwardo Lessa, the president of the swim club: We have been there since 1958 and the Board is comprised of nine (9) people and we made the decision to go ahead with this subdivision. The club operates from Memorial Day to Labor Day. We are usually there a little bit before Memorial Day so that we can get the club opened and then

closed after Labor Day and then just basically it stays closed until the next year. The proposal that we have is to continue with that kind of operation and we are just basically digging up just one little piece of the Club. But from our perspective, as well we do not want to change too much of the nature of the neighborhood because the Club also benefits from Kirkbrae being there and to take care of the roads so we are not looking to make any major changes or allow any major changes to be made to those lots.

Edwardo Lessa: The hours of operation during the day are from 10:30 to 8 o'clock.

We have about 220 to 250 families maximum; about 800 people total.

Member Olean: During the presentation you said there were a couple of variances or relief from the Planning Board or was that referring to Zoning.

Edwardo Lessa: I think the variances were referring to the Zoning Board.

Vice Chairman Reilly: I don't believe that there is anything from a planning standpoint.

Attorney Sherkarchi states there are no variances needed from the Planning Board.

Greg Richard: My name is Gregg Richard I am President of Kirkbrae Glen, Inc. and I have no objections to the subdivision of the land. My only concern is the 35' easement with 435' of frontage. 35' feet of that is an easement and currently there is a fence that is about 5 or 6' into that easement area and that would help with some of the traffic coming out of Kirkbrae Glen as far as being able to see cars. Currently the traffic pattern that they have there now in front of Highridge is a one way road. They will be making it a two way road and there is a fence on the corner now as I've stated that is about 5 feet into the easement. And if they remove that portion of fence, drivers will have a better line of sight .

Edwardo Lessa states that the fence will be taken down.

Vice Chairman Reilly: I would make sure that if it's not shown on your plan and that it is indicated on your plan that it will be removed. That way we have a document that says what going to happen to that property.

Edwardo Lessa: Yes this is how it is showing on the plan.

Greg Richard: The only other thing that we would like to see is probably already has been taken care of at the Zoning Board is that with 250 members I want to make sure that there is enough parking. If they all show up one day and there is not enough parking, we are concerned as to where people will park.

Edwardo Lessa: We have also thought about that and we may have some events at the Club like the 4th of July BBQ where we usually have a lot more people with members and guests and so on. What we have at the back of the property is a field that is not used right now. We are going to open that for overflow parking. So if we have a situation where we have more people than can fit in the parking lot in the front we will open the parking lot in the back area. We will not be parking cars on the road or in the driveway.

Al Ranaldi: There are enough parking spots according to zoning in the front parking area. They meet our zoning regulations.

Richard Bruno: 189 Old River Road. I have no objection to the subdivision. My only concern is that these homes are small and there should be one larger home there. Edwardo and I have talked about that and I understand why they are doing the two lots. I just hope that the very nice stone wall is maintained.

Vice Chairman Reilly: We have already mentioned that and it is in the TRC Report as well. And the applicant has agreed to this TRC Report.

Richard Bruno: The only thing I was concerned about was with the parking. A lot of people park on Old River Rd. and I don't know if there is going to be additional overflow parking there. Is there going to be parking in back if there are cars still parking on Old River Rd.

Peter Gingras: 191 Old River Rd. I live across that street from Highridge. My concern was the parking. The parking lot fills up on weekends quite often and of course on Holidays. Provided that they are allowed to go ahead and overflow cars are to be parked to the area behind the Highridge I think that is sufficient. There is going to be more ingress and egress coming out of the Kirkbrae side and there is no longer going to be a one way access. No major objections; hopefully they will maintain the character of the neighborhood. Preferably I would like to see one single property there. It would be more in tune with what is already there.

Member Olean makes a motion to close the public hearing, second by Member Murphy. Motion approved by all members present.

Member Olean: All we are approving is Master Plan Approval with Conditions. And that's what they need us to do in order for them to get to the Zoning Board.

Motion made by Member Olean to accept Technical Review Committee Report of Master Plan Approval with conditions, second by Member Hunt. Motion approved by all members present.

Member DelGrande: I just have one other question. Mr. Shekarchi nothing was said about a time limit extension and I would like something on record.

Attorney Shekarchi: If it is approved by zoning it continues.

b. Stone Way Subdivision AP 23 Lot 91

Remediation Bond

Review/

Crescent Properties

Dexter Rock Road

Approval

Al Ranaldi: This application is an approved subdivision. It is a subdivision that would be installing a 248' long road ending in a cul-de-sac. It will be three (3) house lots built on that road. The applicant is moving forward with the improvement of the required public infrastructure so that they can record the final lots of the subdivision. Part of that is a remediation bond which would give the Town funding if something goes wrong or we have to step in and stabilize the site. Our Town Engineer calculated that bond out to be \$11,000.00. That would be a cash bond and that would cover a generous contingency because private developments could go a year or two or three.

The Board has to approve the Remediation Bond for the applicant to move forward. The TRC recommends approval of this bond.

Motion made by Member Olean to accept the TRC report of a Remediation Bond of \$11,00.00, second by Member Murphy. Motion approved by all members present.

MAJOR LAND DEVELOPMENT REVIEW

Discussion/

Colbea Enterprises LLC 1783 Old Louisquisset Pike Approval

Al Ranaldi: The board has until September 15, 2015 to make a decision on the Preliminary Plan. This application is an existing gas station and convenience store. The applicant is proposing to raze the existing building and erect a new larger building and reposition it as much as they can to improve parking and circulation. It's not the best site design. That being said the site is small and has many constraints to it, many constraints to the regulations regarding gasoline pumps and our parking regulations. A lot of challenges have to go into the placement of all the required elements of this redesign and we feel that the present layout is very good and improves on the overall site condition and the site circulation. They did the best that they can give all the regulations and parameters that they had to stay within. The applicant has already successfully received several zoning variances to compliment the new placement of the building. So the layout already went to Zoning and got the Zoning relief. Basically they are in front of the Planning Board for Engineering Review at the Preliminary Plan stage. The applicant's engineer has told us that the site is very complicated and the Town Engineer and their Engineer have been discussing a lot of different options to accommodate their needs. They have informed us that they are confident that they can successfully put in these improvements. They have been working diligently to do it. There is one area and I don't know necessarily if they will need a waiver from Planning

Board. Right now, as the plans show, they are looking for a waiver of the six feet of cover over the sewer. We have left it open as to a dimension because they are still working on the engineering. We wanted to put it on the table. There may be one waiver; there may be two waivers when the engineering is finalized. Again this is pretty tight site that has a lot of regulations and restrictions. Right now we are very confident that they are moving in the right direction. The TRC recommends that they proceed to a Public Hearing in June.

Attorney Chapman: attorney for the applicant, states they are working diligently with the Town Engineer to get the three items that she mentioned satisfied. She has been a great help to us and I've got Engineers here if there is any questions. Our Director of Operations is here as well. If there are any questions we will be happy to answer them. We are confident that we will have everything either satisfied or asking for a waiver and we would like to go forward with the Public Hearing.

Tony Fractal: I am an engineer in Pawtucket. The question has to do with where the sign is right now, which is right next to the gas pumps. We are going to be rotating it and moving it forward just a little bit to open up that travel lane. One of the things we considered was to install speed bumps. Folks are cutting through the site. We are trying to make the site lines better as well. Safety is one of the major concerns, if not the major concern at the site. We now have 15 parking spaces on the site. Plus that does not count the spaces at the

pumps.

Vice Chairman Reilly: I had mentioned at one TRC meeting, the first spot off the curb cut from the Old Pike technically is not a spot but it is counted as a spot.

Tony Fractal: We can adjust the curb cut.

Member Olean: I make a motion to accept the TRC report and to proceed to a Preliminary Plan Public Hearing, second by Member Hunt. Motion approved by all members present.

Vice Chairman Reilly: Let's be clear we are moving it to a Public Hearing and hopefully you have more of an idea of about what is going happen with the engineering.

MINOR SUBDIVISION REVIEW

a. Trotter Subdivision

AP 31 Lot 65

Preliminary Plan Discussion/

Theresa & Frederick Trotter

216 Old River Road

Approval

Al Ranaldi: Mr. Chairman this is a minor subdivision. This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two single family residential house lots. There is an existing house on the original lot which will remain. The applicant is not requesting any subdivision waivers or zoning

variances. This project is classified as a minor subdivision. The project is at the preliminary plan review stage.

On May 19, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within sixty-five (65) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by July 22, 2015, or within such further time as may be consented to by the applicant.

The original lot is 39,403 square feet. They are in RS-12 which is 12,000 square foot residential district. The original lot will be reduced to 23,273 square feet. The proposed subdivided lot will be approximately 16,000 square feet which exceeds the zoning for that area by 4,000 square feet. The application meets all of the requirements for a minor subdivision. During a Technical Review Committee's site visit, the TRC recognized the existence of a stone wall running approximately 2,340 feet on the western side of Old River Road. This stone wall is approximately 3 feet tall and runs in front of the existing property. The TRC feels that this wall is an established and unique characteristic of this roadway and should be preserved to the greatest extent possible. The submitted plan shows a new driveway location for the proposed house lot. The existence of the stone wall and the construction of the proposed driveway

opening have not been addressed on the plans at this stage of the review. The TRC recommends that the applicant provide a detail or plan note as to how they plan on addressing the existing stone wall. This concern can be addressed at the building permit review stage.

Currently there is an existing curb cut for the proposed lot. We don't know if they are going to keep it or they are going to move it. If they do plan to move the existing curb cut, we ask them to preserve the stone wall. That is the only condition of approval.

Old River Road is a State road. A Physical Alteration Permit will be required if the applicant chooses to relocate the existing curb cut. This permit will be required prior to issuing any building permits.

The TRC feels that they successfully addressed all of our requirements and recommends approval with conditions and the condition of approval is that the applicant preserves to the greatest extent possible the existing stone wall that runs in front of the new house lot. This concern can be addressed at the building permit review stage because it is only one lot. At the building permit review stage, the Town Engineer would examine the stormwater management system for the new house as well as the existing stone wall and curb cut for the new house and also make sure that they have their physical alteration permit. This is done at the Building Permit Review stage.

Chairmen Reilly: Questions, comments? Is the applicant aware of this stone wall?

Al Ranaldi: Yes.

Donald Lembo: I am the Attorney for the applicant. We certainly will comply with all of the requirements that Mr. Ranaldi has recommended. And certainly of course we will comply with preserving the existing stone wall. If the curb cut is moved once again we will preserve the integrity of the existing stone wall.

Member Olean: I make a motion to accept the TRC report and approve Preliminary Plan with the conditions noted in the TRC report, second by Member Hunt. Motion approved by all members present.

LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

DISCUSSION

Al Ranaldi: Enclosed in your packages this month are proposed subdivision regulation changes. We can certainly schedule another meeting to discuss them in detail.

Vice Chairman Reilly: Anyone opposed to meet?

Would it make sense to meet the night of our meeting an hour earlier to review the subdivision regulations?

Member Olean: I think the representatives of the TRC should look it over and give us that report.

Vice Chairman Reilly: I just want to make sure that everyone on the board has a voice in these recommendations before we proceed to update them.

Al Ranaldi: This has not been advertised. We have to have three advertisements of the changes and then a public hearing. I spoke with the Town Solicitor today and he does not anticipate any new laws coming out of the General Assembly.

Vice Chairman Reilly: As far as Twin River with the hotel there is certain language that is in the Comp Plan.

Solicitor DeSisto: I anticipate that Twin River will be doing two things. They will file a Master Plan application for the hotel at the same time they will file for a petition to amend the Comp Plan and the Zoning Ordinance to allow for use in that particular zone. What will happen is that while you are reviewing their Master Plan for the hotel you will also have to give a recommendation to the Town Council as to whether or not you think that the Comp Plan and the Zoning Ordinance should be amended to allow for this use. It will all start here. The Town Council will take a look at the changes to the Comp Plan and the Zoning Ordinance.

SECRETARY'S REPORT

Vice Chairman Reilly: We have two sets of minutes March 25, 2015 and April 29, 2015.

Member Olean: I make a motion to dispense with the reading of the minutes.

Vice Chairman Reilly: I have a motion to dispense with the reading of the minutes for both March 25, 2015 and April 29, 2015. Do I have a second? Second by Member Hunt. Motion passed by all members present. Are there any additions, corrections to the March 25, 2015 draft of the minutes?

Chairman Reilly: I will entertain a motion on the minutes submitted for March 25, 2015.

Member Olean: Motion to accept the minutes submitted March 25, 2015. Second by Member Hunt. Motion passed by all members present.

The April 29, 2015 minutes; Do I have a motion to accept these minutes? Motion made by Member Hunt, second by Member Murphy. Motion passed by all members present.

Close Meeting: Motion to adjourn the meeting by Member Olean, second Member DelGrande. Meeting adjourned at 8:24 PM. Motion was approved by all members present.

Respectfully submitted,

Elizabeth Gagnon – Recording Secretary to the Planning Board

May's Technical Review Committee's Report

May 21, 2015

Town of Lincoln – Planning Board

100 Old River Road

Lincoln, RI 02865

Dear Honorable Members,

On May 19, 2015 at 3:00 PM, the Technical Review Committee met to review the agenda items for the May 27, 2015 meeting of the Planning Board. In attendance were Al Ranaldi, Leslie Quish, Michael Gagnon, Peggy Weigner, Russell Hervieux, Michael Reilly, Romeo Mendez, and Lou Prescott (LWC). Below are the Committee's recommendations.

Major Subdivision Review

**a. Highridge Subdivision AP 31 Lot 20 Public Informational Meeting
– 7:00 PM**

- Highridge Corporation 192 Old River Road Master Plan**

Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into three lots. The existing lot is proposed to remain as a recreational use. The two proposed lots will be developed as single family homes. The project was elevated from a minor subdivision to a major subdivision due to the need for a zoning relief on the original lot. A use variance was granted in 1958 for the recreational use of the property. The subdivision of two lots from the original lot represents an intensification of that recreational use granted in 1958. The project is at the master plan review stage – public informational meeting.

On January 20, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by May 20, 2015, or within such further time as may be consented to by the applicant.

The master plan submission included the following:

- 1. A site plan entitled: Lincoln RI, Preliminary Major Subdivision, Prepared for Highridge Corp, Class 1 Survey of AP31 Lot 20, Old River Road, RS-20, dated January 30, 2014 and revised up to February**

24, 2015, and a Record Plan dated February 27, 2014 and prepared by Marsh & Long Surveying.

2. A report entitled: Highridge Road Subdivision, Three-Lot Minor Subdivision Application, 192 Old River Road, Lincoln, Rhode Island, Assessor's Plat 31, Lot 20, prepared for: Highridge Corporation, by Edward Pimentel, AICP, dated February 17, 2014 and updated on February 20, 2015.

Site Layout

The Technical Review Committee reviewed the project submission. The applicant owns a 6.66 acre +/- parcel of land on which a recreational club is located. Parking for the members is a grassy field located between the buildings and Old River Road. The zoning district is RS-12. A use variance was granted in 1958 for the recreational use of the property. The applicant is proposing to subdivide this lot into a three lot subdivision. The two proposed new lots are each approximately 12,000 square feet in size and are accessible from Old River Road. Access to the original lot will remain from its current location.

During the most recent Technical Review Committee's site visit to review the submitted zoning applications, the TRC recognized the existence of stone wall running approximately 2,340 feet on the western side of Old River Road. This stone wall is approximately 3 feet tall. The TRC feels that this wall is an established and unique characteristic of this roadway and should be preserved to the greatest extent possible. The master plan shows the use of one existing curb cut as a proposed driveway and a new proposed curb

cut for the other property. The existence of the stone wall and the construction of the proposed driveway openings have not been addressed on the plans at this stage of the review. The TRC recommends that the applicant provide a detail or plan note as to how they plan on addressing the existing stone wall. This concern can be addressed at the preliminary plan review stage.

Zoning Requirements

The two proposed residential lots meet the zoning requirements of the RS-12 zoning district. A use variance was granted in 1958 for the recreational use of the original lot. The subdivision of two lots from the original lot represents an intensification of that use. Therefore, the applicant must re-apply to the Zoning Board for zoning relief. An application has been filed with the Zoning Board and will be heard at their June 2, 2015 meeting.

The plans show that the existing parking lot layout will remain as a grassy field. A grassy parking field would require a zoning variance. This parking lot has successfully served the needs of the facility since its opening in 1958. However, when a property and its associated use is changed or significantly modified, the zoning ordinance requires that the property must be brought up to the present zoning and subdivision/land development standards. In the case of this application, the parking area would have to meet the parking lot standards outlined in Article V – Parking and Loading, Section 260-31B. This means that the grassy parking lot would have to be paved and striped.

The existing commercial use of the property also requires that a buffer be created between the commercial use and the residential use. According to the zoning ordinance, "A parking area for more than 20 cars adjacent to or within a Residential District shall have an opaque fence maintained between such parking area and the adjoining Residential District. Such fence shall be not less than four or more than six feet in height. A compact evergreen screen not less than five feet in height may be used in place of the fence". The revised report states that the applicant will seek relief from this requirement. However, the TRC recommends that the applicant includes a compact evergreen screen along the two sides of the proposed lots that abut the commercial use. The vegetated screen should be placed on the original lot and maintained by the applicant. The evergreen screening should be planted in such a way as to appear as natural as possible. A staggered planting pattern with a few openings is suggested.

The Town spoke with the applicant's representative and explained what would be required to meet the zoning requirement for commercial parking. The group concluded that this requirement would be excessive based on the limited amount of use the parking area experiences. Currently, the pool facility operates from May to the end of September. The organization does not plan on changing their use or increasing their membership. As stated above, the grassy parking lot area has worked for the facility since its opening in 1958. The applicant stated that they would be willing to limit their months of operation to the time they currently operate in. This

limitation could be incorporated into the zoning application and if approved, would be part of a condition of approval. The outcome of the zoning application would be recorded against the title of the property. This proposal would constitute the need for an additional variance from the commercial parking lot requirements of the zoning ordinance.

Parking Lot

The revised plans show a grassy parking field designed in such a way as to address the overall goal of safety within a parking area. The applicant will install a series of wooden guard rails that will form a parking area and travel lanes. A white painted marker will be placed on the guard rail to indicate the parking stalls. The plans or submitted report do not address how or if the applicant plans on lighting the parking area.

While the proposed parking lot does not meet the zoning requirements of the Town, the Technical Review Committee feels that based on the limited months of use of the facility and the fact that this grassy field has worked for the facility since its opening in 1958, the updated grassy parking field as presented in the revised plans will provide an orderly parking area. Each parking space shall be numbered. However, the applicant will have to make their argument to the Zoning Board who has jurisdiction over parking lot requirements. The TRC recommends approval of this zoning variance.

Utilities

Public sewer and water are located within Old River Road. If this subdivision is approved, stormwater management will be required for each individual house lot. The design and type of the stormwater management system depends on the size and location of the new houses as well as the location and size of the driveways. Therefore, the review and approval of the stormwater management system for each house will be handled at the individual building permit review stage and does not need to be shown on these plans.

Barring any unforeseen concerns brought out at the public informational meeting, the Technical Review Committee feels that the applicant has successfully addressed the comments and concerns presented by the Technical Review Committee and the Town. The Technical Review Committee recommends Master Plan approval with conditions. The recommended conditions of approval are as follows:

- 1. The applicant preserves the existing stone wall running along Old River Road when the two residential lots are developed.**
- 2. The applicant includes a compact evergreen screen along the two sides of the proposed residential lots that abut the commercial use. The vegetated screen should be placed on the original lot and maintained by the applicant. The evergreen screening should be planted in such a way as to appear as natural as possible. A staggered planting pattern with a few openings is suggested.**
- 3. The proposed parking lot improvements shall be installed and inspected by the Town before the Final Plan is approved.**

In order for the application to move to the preliminary plan review stage, the applicant would have to receive the following zoning variances:

- 1. Application for Use Variance for modification of existing Use Variance on a swim club to reduce the lot size.**
- 2. Application for Dimensional Variance seeking relief for number of required spaces constructed to code and relief on the required lighting for parking spaces.**

**b. Stone Way Subdivision AP 23 Lot 91 Remediation Bond Review
- Crescent Properties Dexter Rock Road / Approval**

On June 23, 2010, this proposed three lot residential subdivision received Preliminary Plan Approval with Conditions. The subdivision will be accessed from a new 248 foot long roadway ending in a cul-de-sac. The applicant has decided to proceed with the construction of the required public infrastructure. A remediation bond needs to be reviewed and established by the Planning Board in order for the project to begin.

The town engineer reviewed the submitted project and calculated a remediation bond of \$11,000. This bond covers the replacement of erosion controls and soil stabilization of the areas of disturbance if the project is abandoned. Site clearing, earth disturbance, and construction of public infrastructure cannot commence until the bond is paid to the Town. The technical review committee reviewed the proposed remediation bond amount and recommends that the

Planning Board approves this amount.

Major Land Development Review

- a. Shell Station Rebuild AP43 Lot 78 Preliminary Plan Discussion**
- Colbea Enterprises LLC 1783 Old Louisquisset Pike / Approval

This application is under the 2005 Subdivision Regulations and represents the complete redevelopment of an existing gas station and is classified as a major land development review. On May 19, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by September 15, 2015, or within such further time as may be consented to by the applicant.

The preliminary plan submission included the following:

- Site Improvement Plans, Prepared for Colbea Enterprises, LLC 2050 Plainfield Pike Cranston RI 02921. Location: 1783 Old Louisquisset Pike, Lincoln, RI, prepared by Ayoub Engineering, dated February 20, 2015, revised April 29, 2015**
- Stormwater Report for Colbea Enterprises, LLC, 1783 Old Louisquisset Pike & Breakneck Hill Road, Lincoln, RI, prepared by**

Ayoub Engineering, dated April 27, 2015.

• Stormwater Pollution Prevention Plan for Seasons Corner Market, 1783 Old Louisquisset Pike, Lincoln, RI, Plat 43 Lot 78, prepared by Ayoub Engineering, dated April 30, 2015.

Site Layout

The town engineer and the Technical Review Committee reviewed the project submission. This application represents the complete redevelopment of an existing gas station. The applicant proposes to relocate a new and enlarged fuel dispensing and food convenience building, reconfigure the parking areas to improve overall site circulation, install new gas storage tanks, resolve existing flooding issues, and remove the existing septic system and connect to the local sewer system. The new building will have a residential look and feel. The roof will be a traditional hip roof. The front of the building will be made up of stone veneer and modern aluminum panels.

Circulation around the canopy is going to be tight/congested. With vehicles parked in the outer lane of the gas service area, drive aisles widths are narrow. However, the layout is a significant improvement to the current layout and circulation is expected to improve. The two existing curb cuts will remain.

Zoning Requirements

Several zoning variances were required and approved by the Zoning Board during their April 07, 2015 meeting. The applicant received the following zoning variances:

- a. Use Variance for modification of an existing use variance for gasoline filling station with convenience store.**
- b. Dimensional Variance for setback relief, reduction of required parking spaces and elimination of loading dock at remodeled gasoline filling station with convenience store.**
- c. Special Use Permit for additional signage for remodeled gasoline filling station with convenience store.**

Utilities

Public Water and Sewer are available to the site. Currently, the building is serviced by a septic system. The application will remove this system and connect to the public sewer system. The Town Engineer reviewed the preliminary plan submission for general conformity of the plans with the Town of Lincoln Zoning Ordinance and Land Development and Subdivision Regulations, and the over-all constructability of the development.

A detailed memorandum was given to the applicant for their review and consideration. However, the Town Engineer identified three areas of concern. The plans show that there will be a crossing of the proposed water service and gasoline piping between the canopy and the underground storage tanks. This is not advised and must be resolved and approved by the Lincoln Water Commission. The plans show that there is a potential utility conflict at the eastern most sewer and water crossing. Additional information to document that no conflict exists is required. The plans show that the sewer main may not have the require 6 feet of cover. The applicant was asked to explore the possibility to obtain additional cover. If additional sewer

main coverage is not possible, a subdivision regulation waiver may be required if less than 6 feet is provided.

Permits

According the Town Engineer and the Technical Review Committee, this project will require but not limited to the following permits:

- 1. Physical Alteration Permit from RIDOT.**
- 2. Approval from RIDEM's Underground Storage Tank (UST) program and Water Resources Department.**

Based on the project's submission, the Technical Review Committee feels that the applicant has successfully addressed a significant portion of the requirements of a Preliminary Land Development review. There are several comments and concerns that need to be addressed. However, these comments and concerns appear to have acceptable solutions. Based on the project's submission, the Technical Review Committee feels that the applicant has addressed the majority of the TRC's comments and concerns. The TRC recommends that the application proceed to a preliminary plan public hearing in June.

Minor Subdivision Review

- a. Trotter Subdivision AP31 Lot 65 Preliminary Plan Discussion**
- Teresa & Frederick Trotter 216 Old River Road / Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two single family residential

house lots. There is an existing house on the original lot which will remain. The applicant is not requesting any subdivision waivers or zoning variances. This project is classified as a minor subdivision. The project is at the preliminary plan review stage.

On May 19, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within sixty-five (65) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by July 22, 2015, or within such further time as may be consented to by the applicant.

The preliminary plan submission included the following:

- Lincoln RI, Minor Subdivision, Prepared for Teresa & Frederick Trotter Co Trustees, Class I Survey of AP 31 Lot 65, Old River Road, Zone RS-12, by Marsh & Long Surveying, Inc, dated April 30, 2015.

Site Layout

The Technical Review Committee reviewed the project submission. The original lot is 39,403 square feet (0.9 acres) and is located in residential zone RS-12 (12,000 square feet). The original lot will be reduced to 23,273 square feet (0.5 acres). The proposed subdivided lot will be 16,129 square feet (0.4 acres).

During a Technical Review Committee's site visit, the TRC recognized

the existence of stone wall running approximately 2,340 feet on the western side of Old River Road. This stone wall is approximately 3 feet tall and runs in front of the existing property. The TRC feels that this wall is an established and unique characteristic of this roadway and should be preserved to the greatest extent possible. The submitted plan shows a new driveway location for the proposed house lot. The existence of the stone wall and the construction of the proposed driveway opening have not been addressed on the plans at this stage of the review. The TRC recommends that the applicant provide a detail or plan note as to how they plan on addressing the existing stone wall. management

Old River Road is a State road. A Physical Alteration Permit will be required if the applicant chooses to relocate the existing curb cut. This permit will be required prior to issuing any building permits.

Zoning Requirements

The proposed subdivision meets all zoning requirements.

Utilities

Public sewer and water are located within Old River Road and are available to the proposed house. The exact connection locations will be addressed at the building permit stage. Stormwater management will be required for the new house. The design and type of stormwater management system depends on the size and location of the new house as well as the location and size of the driveway.

Based on the project's submission, the Technical Review Committee feels that the application successfully addresses the requirements set out in the Town's Land Development and Subdivision Regulations. Therefore, the Technical review Committee recommends Approval with Conditions of this minor subdivision. The conditions of approval are as follows:

1. The applicant preserves, to the greatest extent possible, the existing stone wall that runs in front of the new house lot.

The following requirements will be needed prior to issuing any building permits:

1. Stormwater management will be required for the new house. The design and type of stormwater management system depends on the size and location of the new house as well as the location and size of the driveway. This design will be required prior to issuing any building permits.

2. Old River Road is a State road. A Physical Alteration Permit will be required if the applicant chooses to relocate the existing curb cut. This permit will be required prior to issuing any building permits.

Land Development and Subdivision Regulations Discussion

Zoning Applications (*) – June Zoning Applications

High Ridge Corporation, 192 Old River Road, Lincoln, RI – Application for Use Variance for modification of existing Use Variance on a swim club to reduce the lot size.

AP 31, Lot 20 Zoned: RS 12

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a use variance for the modification of an existing use variance on a swim club to reduce the lot size. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. The approved recreational use has been in operation since the original use variance was approved. The reduction of the overall lot size of 290,118 square feet to 265,864 square feet (reduction of 24,254 square feet) will have minimal to no impact to the operations of the pool club or the surrounding area.

High Ridge Corporation, 192 Old River Road, Lincoln, RI – Application for Dimensional Variance seeking relief for number of required spaces constructed to code and relief on the required lighting for parking spaces.

AP 31, Lot 20 Zoned: RS 12

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking dimensional variance relief for the number of required spaces constructed to code and relief on the required lighting for parking spaces. The Technical Review Committee recommends Approval of this application according to the submitted plans and application.

Initially, when this project was submitted, the Town spoke with the applicant's representatives and explained what would be required to

meet the zoning requirement for commercial parking. The Town and the applicant's representatives concluded that these requirements would be excessive based on the limited amount of use the parking area experiences. Currently, the pool facility has successfully operated from May to the end of September since 1958. The organization does not plan on changing their use or increasing their membership. The grassy parking lot area has worked for the facility since its opening in 1958. The applicant stated that they would be willing to limit their months of operation to the time they currently operate in. This limitation could be incorporated into the zoning approval which is recorded against the title of the property.

The applicant has worked with the Technical Review Committee and Planning Board to develop a parking area that would meet the spirit of the existing zoning ordinance. The submitted plans show a grassy parking field designed in such a way as to address the overall goal of safety within a parking area. The applicant will install a series of wooden guard rails that will form a parking area and travel lanes. A white painted marker will be placed on the guard rail to indicate the parking stalls. Each parking space shall be numbered. This proposed parking area does not provide for any additional lighting.

E. Scott Tittle, 99 Tanglewood Drive, West Warwick, RI/Autocrat LLC,
10 Blackstone Valley Place, Lincoln, RI - Application for Special Use
Permit requesting three freestanding signs for business located at 10
Blackstone Valley Place, Lincoln, RI.

AP 30, Lot 61 Zoned: ML 5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a Special Use Permit requesting three freestanding signs for the existing business located at 10 Blackstone Valley Place, Lincoln, RI. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. The proposed application is for a modest increase in additional signage. The Technical Review Committee feels that the application presents the least relief needed. The TRC feels that granting the special use permit will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Kenneth Manzo, 96 Angell Road, Lincoln, RI – Application for Special Use Permit to renew existing Special Use Permit for an accessory family dwelling unit which was approved on April 17, 2009.

AP 43, Lot 7 Zoned: RS20 and RA40

Members of the Technical Review Committee reviewed the submitted application to renew a Special Use Permit for an existing accessory family dwelling unit. The Technical Review Committee recommends Approval of the request to renew the Special Use Permit. The Technical Review Committee feels that renewing the special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Stephen Kearns, 132 Old Main Street, Manville, RI – Application for Dimensional Variance seeking rear setback relief for the construction of a deck.

AP 36, Lot 180 Zoned: RG7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a rear setback relief for the construction of a deck. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. According to the submission, the proposed deck would be located on the rear side of the house. A 3 foot wide wooden walkway will extend from the deck to an existing side door located on the right side of the house. The dimensional variance is needed due to the existing placement of the house on the lot and the angle of the rear property line. The Technical Review Committee feels that the application presents the least relief needed and is not the result of any prior action of the applicant. The TRC feels that granting the rear yard dimensional variance will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Denise Leclerc, 1 Holly Street, Manville, RI – Application for Dimensional Variance seeking front setback relief for the construction of a new home on property located at 4 Holly Street, Manville, RI.

AP 35, Lot 85 Zoned: RL 9

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a front yard setback relief for the construction of a new home on the property. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. According to the submission, the house is already constructed. However, when the original contractor placed the house on the lot he did not account for a front door landing and stairs in the setback. The Technical Review Committee feels that the applicant presents the least relief needed and is not the result of any prior action of the applicant. The TRC feels that granting the front yard dimensional variance will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Correspondence/Miscellaneous (*)

a. Staff Reports

b. Gale I. & Joseph A. Santoro AP 27 Lot 43 Final Plan Recorded

c. R.H. Jergensen Co. Inc. AP 40 Lots 30 & 31 Final Plan Recorded

d. Jason Taylor AP 23 Lot 66 Final Plan Recorded

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

Albert V. Ranaldi, Jr. AICP
Administrative Officer to the Planning Board